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**UNITED STATES ENTERS INTO CONSENT DECREES WITH FOUR
MANHATTAN HOTELS REQUIRING COMPLIANCE WITH
THE AMERICANS WITH DISABILITIES ACT**

LEV L. DASSIN, the Acting United States Attorney for the Southern District of New York, announced today that the owners and operators of four Times Square Theater District hotels - the MODERNE, the AMERITANIA, the AMSTERDAM COURT, and the RADIO CITY SUITES - have agreed to settle lawsuits brought by the United States and come into compliance with the Americans with Disabilities Act of 1990 ("ADA"). The Consent Decree and Judgment regarding the MODERNE, AMERITANIA, and AMSTERDAM COURT was signed by the United States District Judge SHIRA A. SCHEINDLIN on May 8, 2009, and the Consent Decree and Judgment regarding the RADIO CITY SUITES was signed by United States District Judge PAUL G. GARDEPHE today.

On January 13, 2009, the United States filed Complaints against the four hotels (as well as the HOTEL CARTER, whose case is pending) in Manhattan federal court, alleging numerous ADA violations at these hotels. The suits resulted from an ADA compliance review of almost 50 Theater District hotels. Thus far, the United States Attorney's Office has finalized Voluntary Compliance Agreements with 17 Theater District hotels, and, in addition to the settlements with the four hotels announced today, is in the process of finalizing an additional 27 agreements. The four Consent Decrees and Judgments filed today in Manhattan federal court are tailored to the size and room count of the affected hotel and provide in summary as follows:

The MODERNE hotel, located at 243 West 55th Street, agrees to address numerous violations of the ADA Standards for Accessible Design within the next three years. The MODERNE agrees to ensure that its main public entrance, the registration counter, and its public restrooms are accessible. In addition, the MODERNE agrees to provide 3 rooms that are accessible to people with disabilities, all of which shall have roll-in showers, and 4 rooms that are accessible to people who are deaf

or hard of hearing. The MODERNE also agrees to change its policies and procedures to facilitate reservations by people with disabilities, allow service animals, and require hotel staff to assist people with disabilities. The Consent Decree regarding the MODERNE applies to Amsterdam Hospitality LLC, DKE Realty Corporation, and Jennas LLC, as the owners and operators of the MODERNE hotel.

The AMERITANIA hotel, located at 230 West 54th Street, agrees to address numerous violations of the ADA Standards for Accessible Design within the next three years. The AMERITANIA agrees to ensure that its main public entrance, the registration counter, and its public restrooms are accessible. In addition, the AMERITANIA agrees to provide 10 rooms that are accessible to people with disabilities, 7 of which shall have roll-in showers, and 17 rooms that are accessible to people who are deaf or hard of hearing. The AMERITANIA also agrees to change its policies and procedures to facilitate reservations by people with disabilities, allow service animals, and require hotel staff to assist people with disabilities. The Consent Decree regarding the AMERITANIA applies to Amsterdam Hospitality LLC, and Britannia 54th Street Hotel Corporation, as the owners and operators of the AMERITANIA hotel.

The AMSTERDAM COURT hotel, located at 226 West 50th Street, agrees to address numerous violations of the ADA Standards for Accessible Design within the next three years. The AMSTERDAM COURT agrees to ensure that its main public entrance, the registration counter, and its public restrooms are accessible. In addition, the AMSTERDAM COURT agrees to provide 7 rooms that are accessible to people with disabilities, all of which shall have roll-in showers, and 12 rooms that are accessible to people who are deaf or hard of hearing. The AMSTERDAM COURT also agrees to change its policies and procedures to facilitate reservations by people with disabilities, allow service animals, and require hotel staff to assist people with disabilities. The Consent Decree regarding the AMSTERDAM COURT applies to Amsterdam Hospitality LLC, and Ali Baba Hotel Corporation as the owners and operators of the AMSTERDAM COURT hotel.

The RADIO CITY SUITES hotel, located at 142 West 49th Street, agrees to address numerous violations of the ADA Standards for Accessible Design within the next three years. The RADIO CITY SUITES agrees to ensure that its main public entrance, the registration counter, and its public restrooms are accessible. In addition, the RADIO CITY SUITES agrees to provide 7 rooms that are accessible to people with disabilities, 2 of which shall have roll-in showers, and 12 rooms that are accessible to people who are deaf or hard of hearing. The RADIO

CITY SUITES also agrees to change its policies and procedures to facilitate reservations by people with disabilities, allow service animals, and require hotel staff to assist people with disabilities. The Consent Decree regarding the RADIO CITY SUITES applies to 142 W. 49th Street Hotel Corporation as the owner and operator of the RADIO CITY SUITES hotel.

In addition, the owners and operators of each hotel agreed to pay a \$10,000 fine to the United States.

"Hotels, landlords, and other places of accommodation must be flexible, including changing their business practices and making necessary physical alterations, in order to ensure that people with disabilities have the same enjoyment of accommodations as others," said Acting United States Attorney LEV L. DASSIN. "We are pleased that these hotels in the City's showcase Theater District have agreed to enter Consent Decrees to this end."

Assistant United States Attorneys LAWRENCE H. FOGELMAN, CAROLINA A. FORNOS, DAVID J. KENNEDY, and HEATHER K. McSHAIN are in charge of the cases.

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